

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JAMES H. ROGERS,)	
)	
Plaintiff)	
)	
vs.)	Civil Action No. 08-67
)	Judge Gary L. Lancaster/
R.J., Correctional Officer for SCI Western)	Magistrate Judge Amy Reynolds Hay
Penitentiary M.H.U. Block; SMITT,)	
Correctional Officer for SCI Western)	
Penitentiary; TERRI, Correctional Officer)	
for SCI Western Penitentiary 2003 up to)	
2005; NURSE BILL; NURSE JOE; TROY,)	
Mental Health Teck Charter for SCI)	
Western Penitentiary; ANDRE, Mental)	
Health Teck Charter for SCI Western)	
Penitentiary; JB, Mental Health Tech)	
Charter; MENTAL HEALTH TECK)	
TRACI; JASON, Mental Health Teck)	
Charter; INMATE WORKE, also known as)	
NEANO,)	
)	
Defendants)	

ORDER

AND NOW, this 7th day of March, 2008, after the Plaintiff, James H. Rogers, filed an action in the above-captioned case, and after a Report and Recommendation was filed by the United States Magistrate Judge giving the parties until February 14, 2008 to file written objections thereto, and no objections having been filed, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that this action is dismissed before service, pursuant to the authority granted courts by the Prison Litigation Reform Act (PLRA), for failure to state a claim upon which relief can be granted and as frivolous.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the parties desire to appeal from this Order they must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.

A handwritten signature in black ink, appearing to read "G L Lancaster", written over a horizontal line.

GARY L. LANCASTER
United States District Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

James H. Rogers
FE-9381
SCI Greene
175 Progress Drive
Waynesburg, PA 15370